

SUPERIOR COURT OF CALIFORNIA  
County of Mendocino



**POLICY**  
**PUBLIC ACCESS TO NON-CONFIDENTIAL**  
**PROCEEDINGS AND PUBLIC RECORDS**  
**DURING PUBLIC HEALTH RESTRICTIONS**  
**DUE TO COVID-19 PANDEMIC**

Ensuring the public's health and safety are the Court's paramount concerns during the Covid-19 pandemic. The Court recognizes that these concerns must be weighed against each court visitor's Constitutional rights to attend non-confidential proceedings and to view non-confidential court records.

The following policy describes the Court's requirements for members of the public and justice partners to visit the courthouses. This policy also describes the Court's procedures to: 1) determine whether visitors who request to attend a court proceeding will be admitted to the courtroom and 2) assist the public in viewing public court records.

**REQUIREMENTS TO VISIT THE COURTHOUSES**

All visitors, parties to cases, attorneys, members of the media, and justice partners shall:

1. Wear a facial covering upon entering the facilities and at all times while in the courthouses, unless instructed to remove the covering by a judge. For members of the public who have medical exemptions from wearing facial coverings, visitors must bring a note from a health care provider verifying this exemption.
2. Submit to screening at the entrances to the facilities. If a person seeking entry to the courthouses is visibly ill (coughing, sneezing, feverish, etc.), the Court will deny entry into the courthouse. If the visitor is a party to a case that is on calendar, screening personnel will notify a bailiff to alert the courtroom that the party will be absent.
3. Comply with all social distancing guidelines by minimizing interactions with others and maintaining six feet of distance between the visitor and others. In the event

that a personal interaction must occur, refrain from touching the other person and keep the interaction as brief as possible.

4. Use hand sanitizer, located in stations throughout the courthouse in all public spaces.

#### PROCEDURES FOR VISITORS WHO REQUEST TO VIEW COURTROOM PROCEEDINGS

For jury trials, the court has set up live streaming for members of the public who wish to view the trial through Zoom. The Court has set up a space in the courthouse for viewing and is also able to provide the Zoom password to members of the public who want to watch the trial from another location. The Court provides the password to defense counsel at each trial so that the defense counsel can share it with any interested family members or others.

For other non-trial proceedings, the Court is doing all it can to ensure that social distancing can be attained in the courtrooms. Visitors who are not parties to a case may request that they be allowed to observe proceedings by completing a Courtroom Observation Request Form (Form no. MMC-280) and submitting it to the Clerk's Office.<sup>1</sup>

Once the request has been submitted to the hearing judge, the judge shall:

1. Review the request and determine whether there is sufficient space to safely social distance in the courtroom once all essential parties, jurors, court staff, justice partner staff and law enforcement are present.
  - a. If the judge determines that there is space, the visitor(s) will be allowed to enter and will be directed to seating that meets social distancing requirements. Visitors may not remove their facial coverings.
  - b. If the judge determines that there is not sufficient space in the courtroom, the judge may deny the request, but only for that proceeding. The visitor(s) may make subsequent requests and the judge will review and evaluate the conditions in the courtroom each time such request is made.
  - c. In the event there are many visitors who want to attend and limited space, the judge shall rotate the visitors, so that there are opportunities for as many visitors as possible to view all or part of a proceeding or trial.

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<sup>1</sup> Members of the media who wish to attend court proceedings for the purpose of filming, photographing or recording court proceedings shall comply with California Rules of Court rule 1.150 and Mendocino Superior Court Local Rules 1.30-1.36

- d. In the event that there is high interest in a particular proceeding, the judge may direct court staff to provide a phone conference line or enable a Zoom meeting to allow those who are unable to attend in person to hear or view proceedings remotely. In such instances, the Court will publish the conference line phone number or the Zoom meeting invitation on the Court's website next to the calendar session.
- e. In each instance in which a member of the public requests to attend a court proceeding, the hearing judge will make all reasonable efforts to permit such access.

#### PROCEDURES FOR VISITORS WHO REQUEST ACCESS TO NON-CONFIDENTIAL COURT FILES

Members of the public who wish to view non-confidential court records shall complete and submit a Request to View Non-Confidential Court Records form (Form No. MMC-270) and submit it to the Clerk's Office.

Once the request has been submitted, court staff shall review the request, determine whether the Court has any responsive records and determine whether they are maintained as paper or electronic records. The Court shall make this determination within ten business days of the date of the request.

If the Court locates the requested records:

1. If the records are in paper form, the Court shall contact the requestor and arrange a date and time to view the record(s) on the Court's premises and in a space that complies with social distancing requirements. At no time will the visitor be permitted to remove his or her facial covering while viewing these records.
2. If the records are in electronic form (microfilm or other image), the Court will offer to place them on a flash drive, provided by the requestor and mail them to the requestor. If the requestor does not provide a flash drive, the Court will arrange a date and time for the requestor to view the records on the Court's premises. . At no time will the visitor be permitted to remove his or her facial covering while viewing these records.

If the Court cannot locate the records or needs additional information to locate them, the Court will notify the requestor within ten business days.